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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,518	11/12/2001	Mao-Sung Huang	B-4382 619297-8	8185

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EXAMINER

BELL, PAUL A

ART UNIT	PAPER NUMBER
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2675

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DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/010,518

Applicant(s)

HUANG ET AL.

Examiner

PAUL A BELL

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Wergen (6,201,196).

With regard to claim 1 Wergen teaches a control device (abstract and figure 1), comprising: a sensor board, having a first through hole (figure 1, items 17 and 19); at least one first sensor, disposing on the sensor board (figure 1 item 25); a post, having a first end and a second end and a stopper, connecting to the second end of the post (figure 1, items 12 and 15), wherein the post is extended through the first through hole by the first end (figure 1, items 19 and 33), the stopper is connected to the sensor board (figure 1, column 4, lines 45-54).

With regard to claim 2 Wergen teaches the control device of claim 1, wherein the first sensor comprises a strain gauge having a resistance that varies according to a distortion of the sensor board (figure 1, item 25 column 3 lines 25-30).

With regard to claim 3 Wergen teaches the control device of claim 2, further comprising at least one second sensor, wherein the first and the second sensors are perpendicularly disposed to each other, thereby detecting the distortion of the sensor board in various orientations (figure item 25 on left and item 25 on right).

With regard to claim 4 Wergen teaches the control device of claim 1, wherein the first sensor is disposed around the periphery of an assembly region, where the sensor board and the stopper are connected (figure item 25 on left and item 25 on right).

With regard to claim 5 Wergen teaches the control device of claim 4, wherein the first sensor is further extended through a gap between the sensor board and the stopper (this broad language is illustrated in figure 1).

With regard to independent claim 6 most of the limitations were already shown in claim 1 above in addition Wergen teaches a spacer, having a second through hole; wherein the post is passed through the first and the second through holes by the first end, and the spacer is disposed between the stopper and the sensor board (figure 1 item 34).

With regard to claims 7-10 they correspond to claims 2-5 and since claims 1 and 6 were rejected all of claims 7-10 for the same reasons are rejected.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wergen (6,201,196) in view of Poole (6,359,613).

With regard to independent claims 11 and 17 most of the limitations were shown above in claims 1 and 6. However with further regard to claims 11 and 17 Wergen does not illustrate an obvious intended use for his control device such as a "A notebook PC, comprising: a main body, having a keyboard device and a base inside, wherein the keyboard device has a control

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post region, and the control post region is comprised of a control device, wherein the control device is connected to the base". Wergen does however clearly state in column 1 line 10 "a joystick can be used as a computer input device or as a mouse replacement"

Poole teaches a pointing stick much like Wergen placed in a keyboard used with a computer system (See figures 6 and 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Wergen control device in a PC keyboard as illustrated by Poole because this use is viewed as merely directed towards an "OBVIOUS INTENDED USE" of the Wergen control unit.

With regard to claims 12-16 and 18-20 they correspond to claims 2-5 and 7-10 and since claims 11 and 17 were rejected all of claims 12-16 and 18-20 for the same reasons are rejected.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Bell whose telephone number is (703) 306-3019.

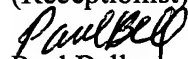
If attempts to reach the examiner by telephone are unsuccessful the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377 can help with any inquiry of a general nature or relating to the status of this application.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or Faxed to: (703) 872-9306

Or Hand-delivered to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor
(Receptionist).


Paul Bell

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June 3, 2004